



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

Tentative Notice of Action

*Promoting the wise use of land
Helping build great communities*

MEETING DATE June 16, 2006 LOCAL EFFECTIVE DATE June 30, 2006 APPROX FINAL EFFECTIVE DATE July 21, 2006	CONTACT/PHONE Ryan Hostetter 788-2351	APPLICANT Karen Johnson	FILE NO. DRC2005-00171
SUBJECT Request by Karen Johnson for a Minor Use Permit/Coastal Development Permit to remodel an existing single family residence and add approximately 150 square feet of living area by enclosing an existing deck, and creating a new roof deck above the addition. The proposed project is within the Residential Single Family land use category and is located at 325 Drake Street in the community of Cambria. The site is in the North Coast planning area. The project is located at 610 Randall Ave. in the Community of Cambria, in the North Coast Planning Area.			
RECOMMENDED ACTION Approve Minor Use Permit/Coastal Development Permit DRC2005-00171 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION A Class 3 Categorical Exemption was issued on May 15, 2006 (ED05-441).			
LAND USE CATEGORY Residential Single Family	COMBINING DESIGNATION Local Coastal Program, Archaeologically Sensitive	ASSESSOR PARCEL NUMBER 023-045-037	SUPERVISOR DISTRICT(S) 2
PLANNING AREA STANDARDS: Setbacks, Height, Footprint and Gross Structural Area Limitations <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
LAND USE ORDINANCE STANDARDS: Local Coastal Program and Archaeologically Sensitive Area <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
FINAL ACTION This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14-calendar day local appeal period after the administrative hearing. The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.			
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242</small>			

EXISTING USES: Residential Single Family	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Single Family/residential <i>East:</i> Residential Single Family/residential <i>South:</i> Residential Single Family/residential <i>West:</i> Residential Single Family/residential	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: The project was referred to: North Coast Advisory Council, Public Works, Cambria Community Services District, and the California Coastal Commission	
TOPOGRAPHY: Nearly level to slightly sloping	VEGETATION: Ornamental vegetation
PROPOSED SERVICES: Water supply: CCSD Sewage Disposal: CCSD Fire Protection: Cambria Fire	ACCEPTANCE DATE: May 4, 2006

PLANNING AREA STANDARDS:

Lot Size: 3,500 square feet
 Double, Marine Terrace
 Oversized lot adjustment: 0

Slope: approx 5 percent
 Number of trees to be removed: 0 pine and 0 oaks
 Base: 1,000 sq ft footprint, 2,000 sq ft GSA

PROJECT REVIEW	ALLOWABLE	PROPOSED	STATUS
FOOTPRINT (SQUARE FEET)	1,350	1,257	OK
GSA (SQUARE FEET)	2000	2,257	OK with 257 TDC's
DECKS (SQUARE FEET)			
PERVIOUS	405	126	OK
IMPERVIOUS	135	0	OK
HEIGHT (FEET)	22'	22'	OK
SETBACKS (FEET)			
FRONT	10'	10'	OK
REAR	15'	15'	OK
SIDE	5'	5'	OK
STREET SIDE	10'	N/A	OK

LAND USE ORDINANCE STANDARDS:

The project site is located within the California Coastal Zone as determined by the California Coastal Act of 1976 and is subject to the provisions of the Local Coastal Plan.

COASTAL PLAN POLICIES: This project is in compliance with the Coastal Plan Policies, the most relevant policies are discussed below.

Public Works:

Policy 1: Availability of Service Capacity applies to the project. The proposed project does not include additional water fixtures, and will not increase water usage from the property.

Coastal Watersheds:

Policy 7: Siting of new development: The proposed project is consistent with this policy because the proposed addition will be located on an existing lot of record in the Residential Single Family category and there is no area of the site with a slope of less than 20 percent.

Policy 8: Timing of new construction: The proposed project is consistent with this policy because if grading is to occur or left unfinished between October 15 through April 15 the project is required to have an erosion and sedimentation control plan and all sedimentation and erosion control measures will be in place before the start of the rainy season.

Policy 10: Drainage Provisions: The proposed project is consistent with this policy because the project is required to have a drainage plan that shows the construction of the addition will not increase erosion or runoff.

Hazards:

Policy 1: New Development: The proposed project is consistent with this policy because it is located and designed to minimize risks to human life and property.

Policy 2: Erosion and Geologic Stability: The proposed project is consistent with this policy because it is designed to ensure structural stability while not creating or contributing to erosion of geological instability.

Visual and Scenic Resources:

Policy 7: Preservation of Trees and Native Vegetation: The proposed project is consistent with this policy because disturbance has been minimized through project design.

Archaeology:

Policy 4: Preliminary Site Survey: The parcel is in an archeologically sensitive area. However, a Phase I archaeological survey is not necessary because the proposed project is located on top of an existing building pad, and will not create any disturbance to native soils.

Does the project meet applicable Coastal Plan Policies: Yes, as conditioned

COMMUNITY ADVISORY GROUP COMMENTS: No comment received from NCAC as of May 15, 2006.

AGENCY REVIEW:

Public Works – Need drainage plan.

Cambria Community Services District –Must submit plans for remodel impact fees.

Cambria Fire –

The Land Conservancy – See letter in file dated April 26, 2006 showing reservation of TDC's

LEGAL LOT STATUS:

The lot was legally created by a recorded map at a time when that was a legal method of creating lots (Cambria Pines Manor Unit 7.

Staff report prepared by Ryan Hostetter and reviewed by Matt Janssen

EXHIBIT A - FINDINGS

CEQA Exemption

- A. The project qualifies for a Class 3 Categorical Exemption pursuant to CEQA Guidelines Section 15303 because the project is a minor addition to an existing single-family residence.

Minor Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the project does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the project is similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on a road constructed to a level able to handle any additional traffic associated with the project.

Coastal Access

- G. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act, because the project is not adjacent to the coast and the project will not inhibit access to the coastal waters and recreation areas.

Terrestrial Habitat

- H. The project or use will not create significant adverse effects on the natural features of the site or vicinity that were the basis for the Sensitive Resource Area designation, and will preserve and protect such features through the site design, because tree removal has been minimized and if trees are removed or impacted they will be replaced.

- I. Natural features and topography have been considered in the design and siting of all proposed physical improvements, because the proposed structure has been designed to minimize tree removal and site disturbance.
- J. Any proposed clearing of topsoil, trees, or other features is the minimum necessary to achieve safe and convenient access and siting of proposed structures, and will not create significant adverse effects on the identified sensitive resource, because tree removal and site disturbance have been minimized and if pine trees are removed, they will be replaced on a two-to-one basis. Oak trees will be replaced on a four-to-one basis.
- K. The soil and subsoil conditions are suitable for any proposed excavation; site preparation and drainage improvements have been designed to prevent soil erosion and sedimentation of streams through undue surface runoff, because, as conditioned, the project or use meets drainage and erosion control standards specified by the County Public Works Department.
- L. There will be no significant negative impact to the identified sensitive habitat and the project or use will be required to replace removed oaks and pines on a four-to-one basis and two-to-one basis respectively.
- M. The project or use will not significantly disrupt the habitat, because it is a single-family residence with minimal site disturbance.

Archaeology

- N. The project as proposed will not have any impact on archaeological resources because the project will not disturb native soil.

TDC's

- O. Adequate instruments have been executed to assure that lot(s) to be retired will remain in permanent open space and that no development will occur because the applicant will provide verification that the retired lot(s) have been transferred to the Land Conservancy of San Luis Obispo County.
- P. The "receiver" site can accommodate the proposed scale and intensity of development without the need for a variance (Section 23.01.045), exception to height limitations (Section 23.04.124b) or modification to parking standards (Section 23.04.162h), because, as conditioned, the project or use meets Coastal Zone Land Use Ordinance and Land Use Element requirements.
- Q. The circumstances of the transfer are consistent with the purpose and intent of the applicable planning area programs and standards regarding transfer of development credits.

EXHIBIT B - CONDITIONS OF APPROVAL

Authorized Use

1. This approval authorizes the addition of approximately 150 square feet of living area by enclosing an existing deck, and creating a new roof deck above the addition. The proposed project will require the purchase of 257 transfer of development credits (TDC's).
2. All permits shall be consistent with the approved Site Plan, Floor Plans, and Elevations.

Conditions to be completed prior to issuance of a construction or grading permit

Grading, Drainage, Sedimentation and Erosion Control

3. If grading is to occur between October 15 and April 15, a sedimentation and erosion control plan shall be submitted pursuant to Coastal Zone Land Use Ordinance Section 23.05.036.
4. The applicant shall submit a drainage plan for review and approval by the County Public Works Department.

Fire Safety

5. The applicant shall provide the county Department of Planning and Building with a fire safety plan approved by the Cambria Fire Department.

Cambria Community Services District

6. The applicant shall apply for a remodel of existing service and pay impact fees to the CCSD.

Landscape Plan

7. The applicant shall submit for Planning Director review and approval, a Landscape Plan that provides for the planting of all open areas of the site disturbed by project construction with native, drought and fire resistant species that are compatible with the habitat values of the surrounding forest. In addition, non-native, invasive, and water intensive (e.g. turf grass) landscaping shall be prohibited on the entire site.

Transfer of Development Credits

8. The applicant shall provide written verification from the Land Conservancy of San Luis Obispo County that 257 square feet of Gross Structural Area has been transferred from a parcel within a special project area to the subject property.

Conditions applicable throughout project construction

Building Height

9. The maximum height of the project is 22 feet (as measured from average natural grade).
10. All runoff from impervious surfaces such as roofs, driveways, walks, patios, decks, shall be collected and detained on-site, or passed on through an effective erosion control device or drainage system approved by the County Engineer.

Archaeology

11. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
 - A. Construction activities shall cease and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
 - B. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.

Conditions to be completed prior to occupancy or final building inspection /establishment of the use

Fire Safety

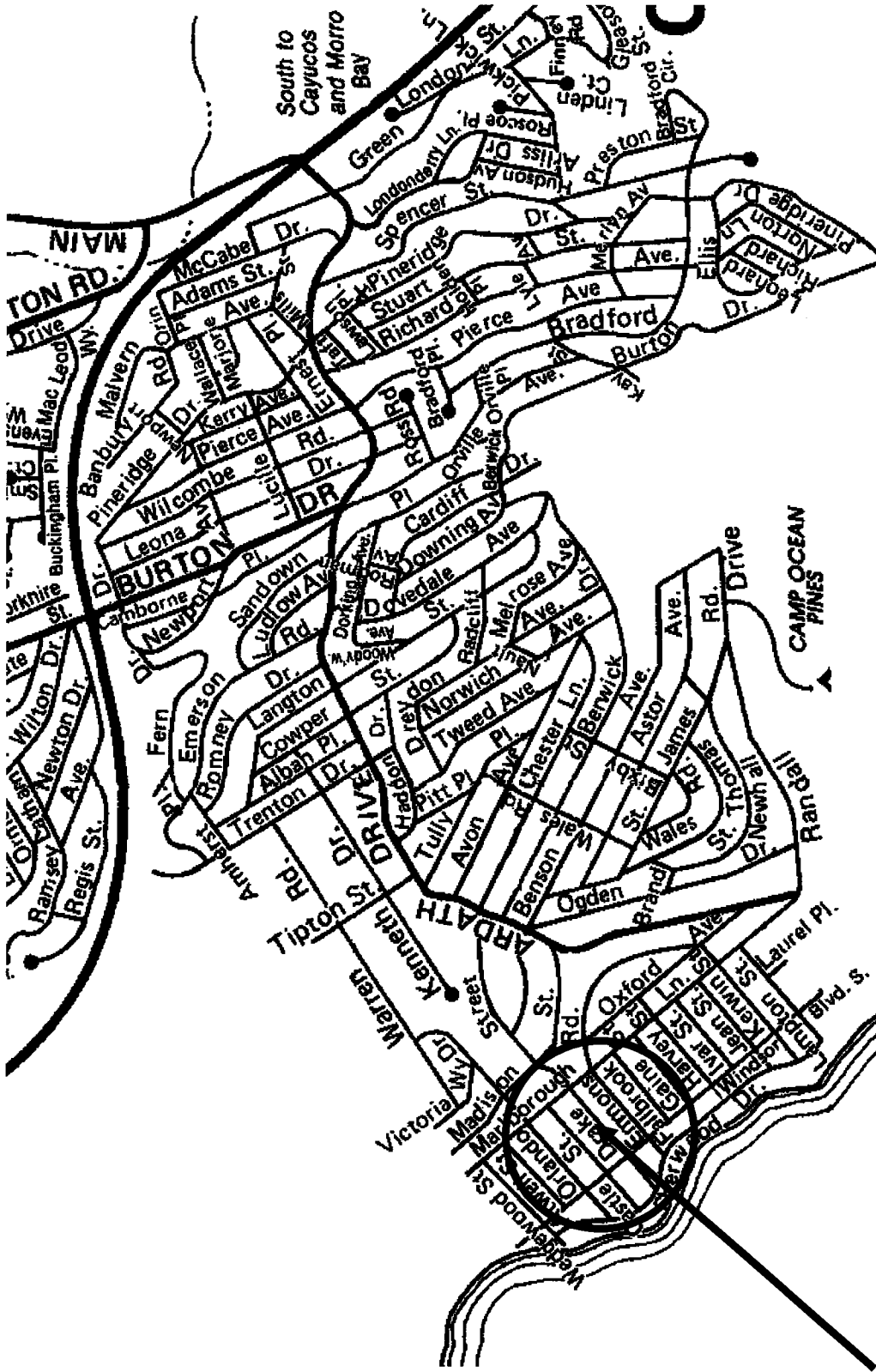
12. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from Cambria Fire Department of all required fire/life safety measures.

Miscellaneous

13. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.
14. This permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050. This permit is generally considered to be vested once a building permit has been issued and substantial site work has been completed. Substantial site work is defined (Section

23.02.042) as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade ('sticks in the air').

15. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Coastal Zone Land Use Ordinance.



SITE

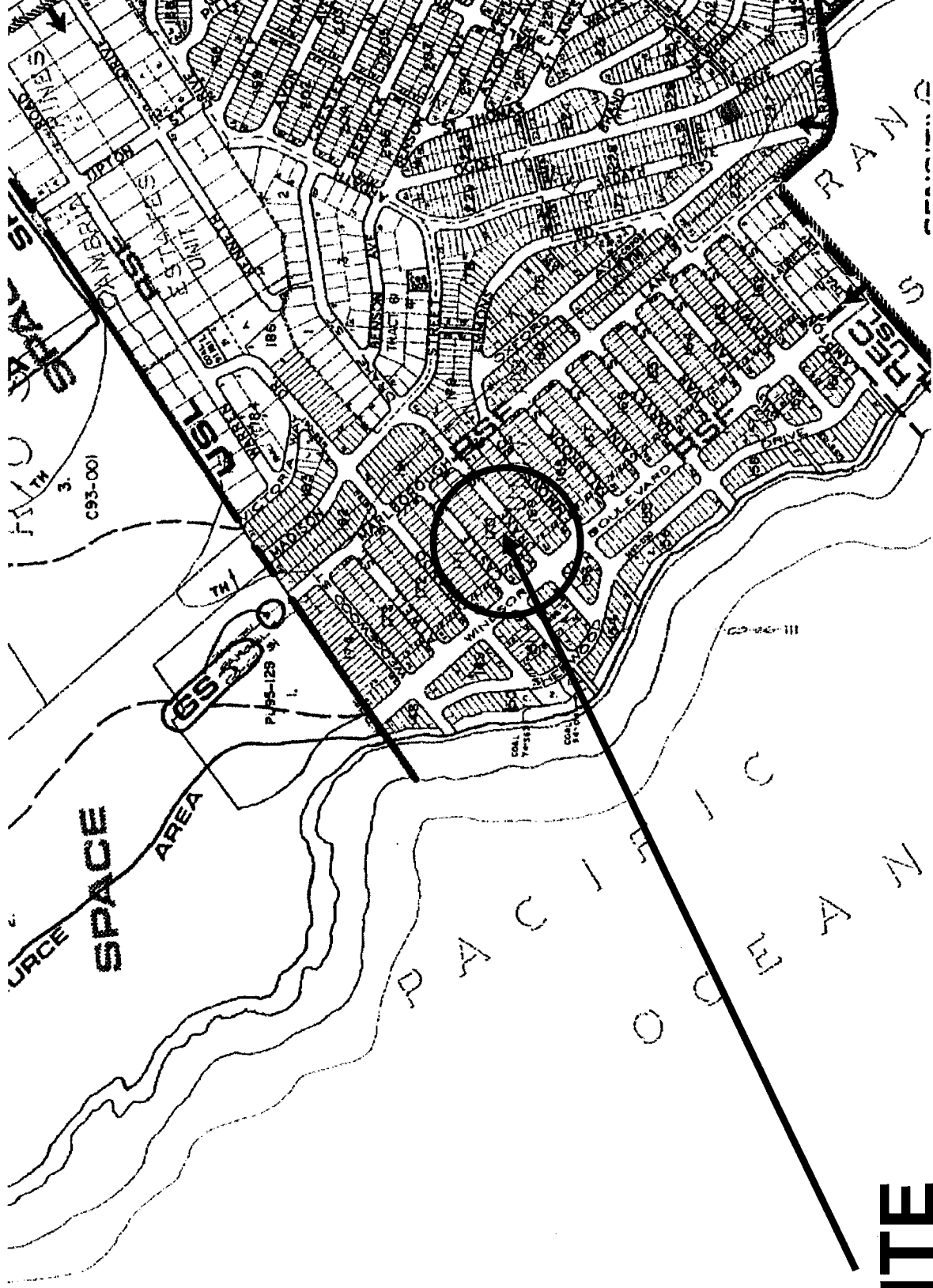
PROJECT

Minor Use Permit
Johnson DRC2005-00171

EXHIBIT

Vicinity Map





SITE

PROJECT

Minor Use Permit
Johnson DRC2005-00171

EXHIBIT

Land Use Category





SITE

PROJECT

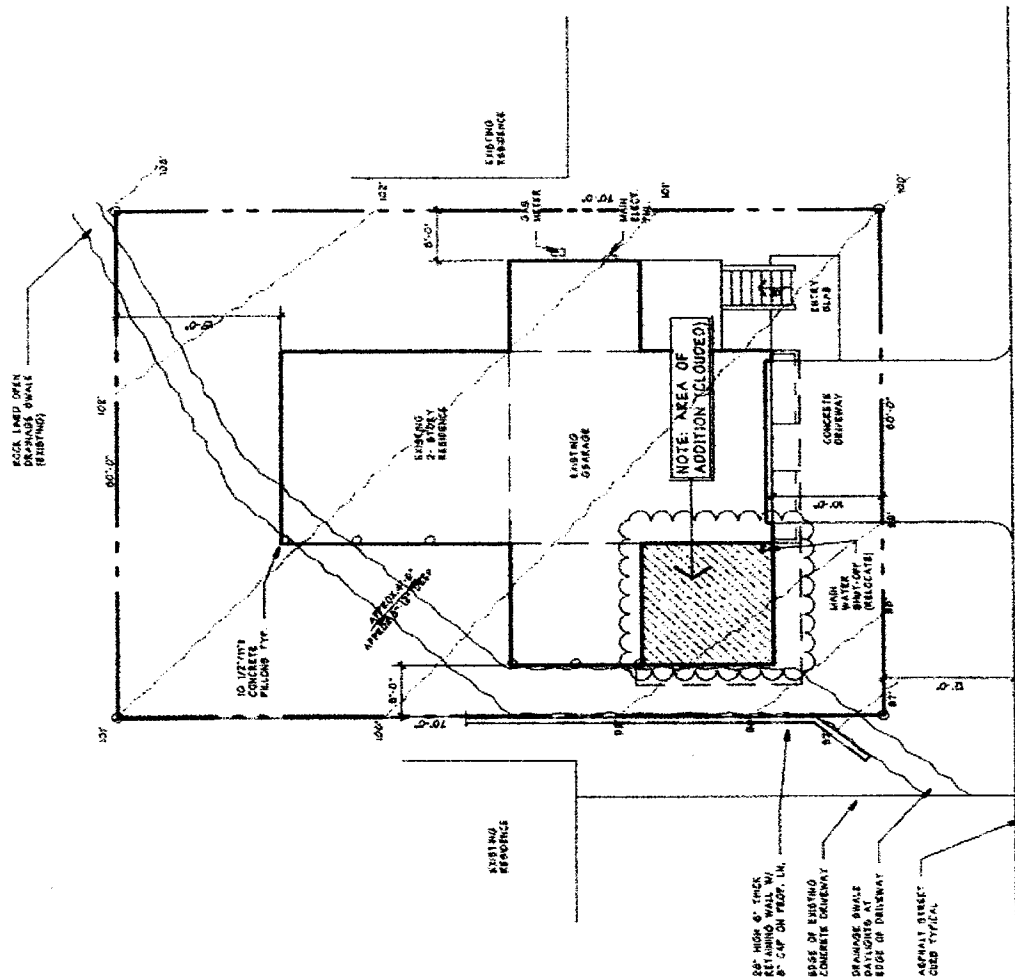
Minor Use Permit
Johnson DRC2005-00171

EXHIBIT

Aerial



SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



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Minor Use Permit
Johnson DRC2005-00171

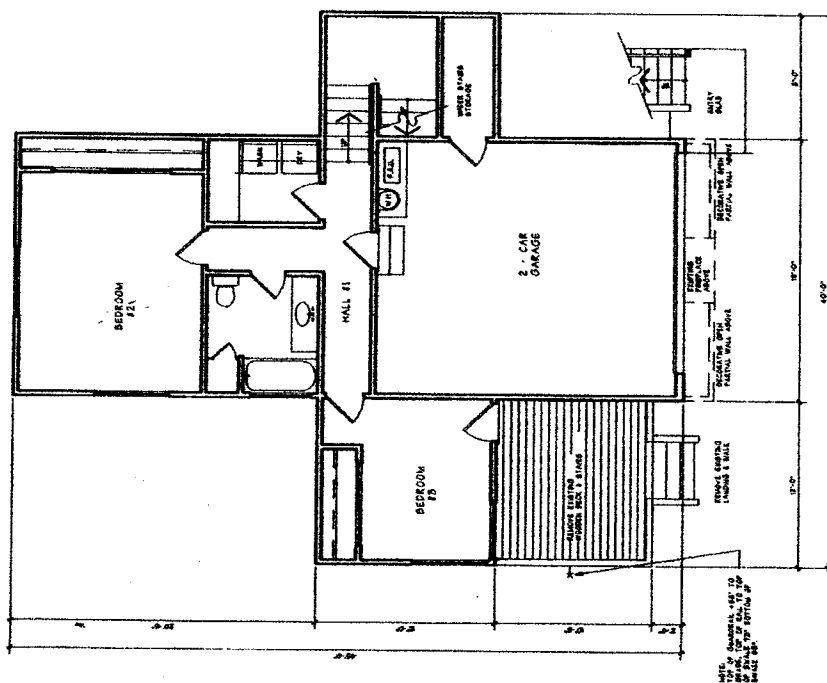
EXHIBIT

Site Plan



PROPOSED FLOOR PLAN

REPORT - THE EAST



EXISTING FLOOR PLAN

MAIN FLOOR = 722 SQ.FT.
SECOND FLOOR = 549 SQ.FT.
TOTAL LIVING = 1,271 SQ.FT.
GARAGE AREA = 388 SQ.FT.
TOTAL AREA = 1,659 SQ.FT.

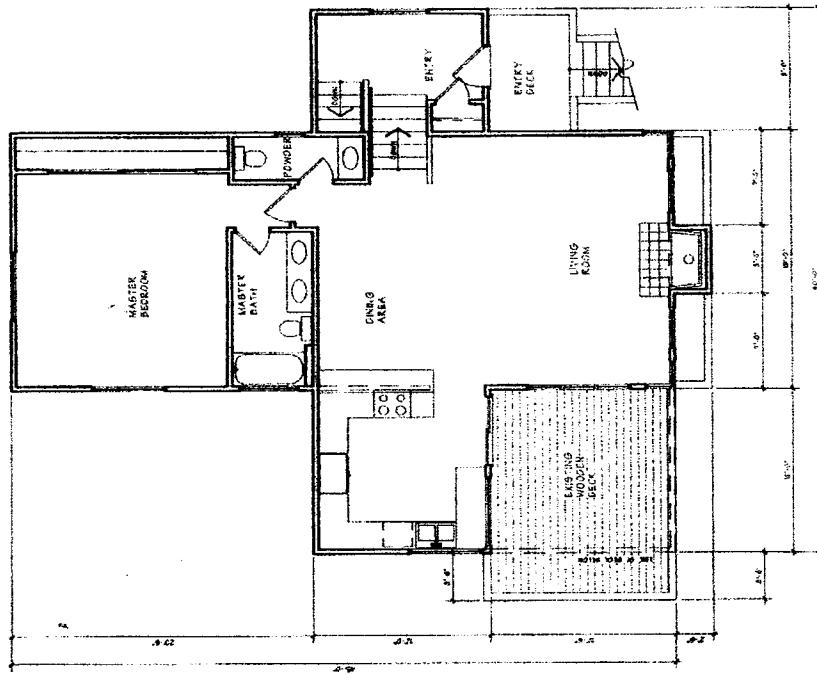


EXHIBIT

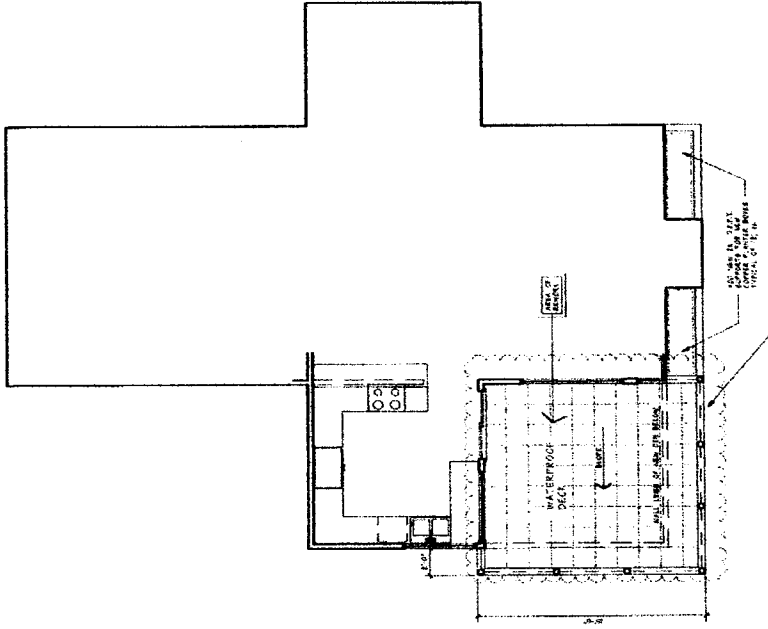
Floor Plan

PROJECT

Minor Use Permit
Johnson DRC2005-00171



EXISTING SECOND FLOOR
UNAS SHOWN - SEE EXIST.



PROPOSED SECOND FLOOR
UNAS SHOWN - SEE EXIST.

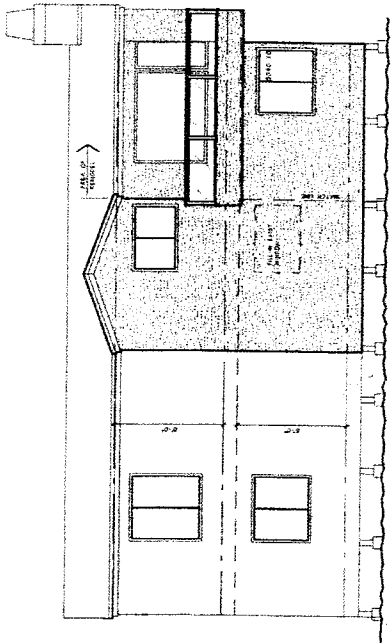
PROJECT

Minor Use Permit
Johnson DRC2005-00171

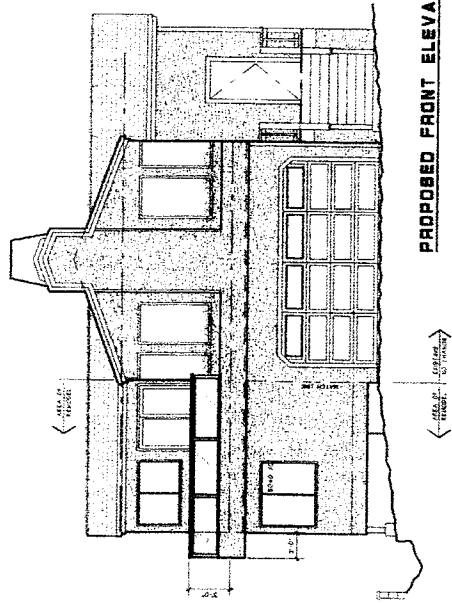
EXHIBIT

Floor Plan

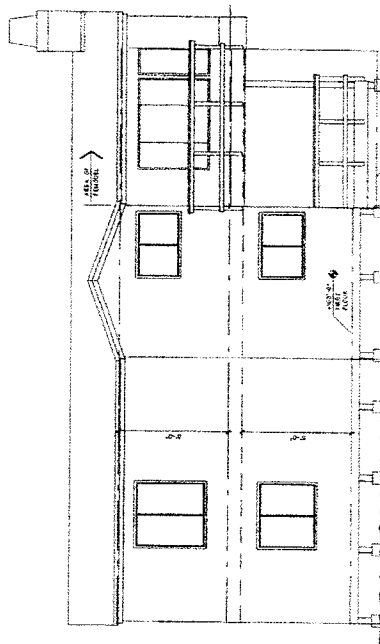




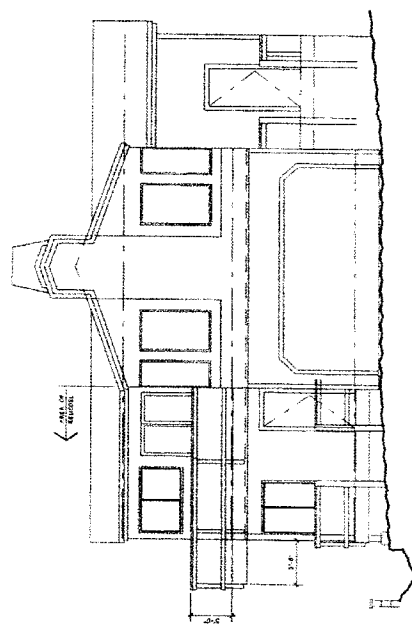
PROPOSED LEFT SIDE ELEVATION



PROPOSED FRONT ELEVATION



EXISTING LEFT SIDE ELEVATION



EXISTING FRONT ELEVATION

PROJECT

Minor Use Permit
Johnson DRC2005-00171

EXHIBIT

Elevation



